

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheets," which include Figures 1-22, replace the original sheets including Figures 1-22 submitted on March 20, 2001.

Attachment: Replacement Sheets - 6

REMARKS

Claims 10-39 are now pending in the application. Claims 10-39 have been cancelled, and Claims 40-64 are new. The amendments to the claims contained herein are intended to broaden the scope thereof and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein. Support for the new claims can be found at least in Figures 3A, 4, and 9.

EXAMINER INTERVIEW

Applicants would like to thank the Examiner for the courtesies extended during the telephone conference of April 3, 2012. During the telephone conference, Applicants submitted new Claim 40 for discussion. The Examiner indicated the Claim appeared allowable in view of the art of record. Per the discussion with the Examiner, Applicants present herein claims consistent with the discussion.

DRAWINGS

The drawings stand objected to for certain informalities. Applicants have attached replacement drawings for the Examiner's approval. The replacement drawings have been labeled in the top margin pursuant to 37 CFR 1.121(d) as requested by the Examiner.

SPECIFICATION

The specification stands objected to for certain informalities. Applicants have amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 10-15 and 17-39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. These claims have been cancelled, thus obviating the rejection.

REJECTIONS UNDER 35 U.S.C. § 102 & § 103

Claims 10, 11, 13, 16, 17, 19-23 and 25-29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hakim et al (U.S. Pat. No. 4,608,992). Claims 12 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hooven (U.S. Pat. No. 4,676,772). Claims 14, 15, 18 and 30-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hakim (U.S. Pat. No. 4,608,992) in view of Hooven (U.S. Pat. No. 4,676,772). These claims have been cancelled, thus obviating the rejections.

In citing the Hakim reference, the Office characterizes the Hakim reference as teaching a locator tool (structure of Figure 1) and an indicator tool 74 for detection of information about an implanted shunt valve. Applicants respectfully submit that while Hakim may teach subdermal medical devices, it does not disclose the Applicants' claimed measurement and valve adjustment configuration.

Hooven discloses an implantable valve having a magnetic indicator. The indicator is a compass which depicts the setting of the valve. Applicants submit that while Hooven may disclose using a magnet to adjust the valve, it does not use the claimed alignment features which can be used both for alignment and valve adjustment.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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